UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
OCT 11 2013
CLERK'S OFFICE
U.S. DISTRICT COURT
EASTERN MICHIGAN

INFECTION PREVENTION TECHNOLOGIES, LLC
a Michigan Company,

Plaintiff,

v.

LUMALIER CORPORATION,
a Tennessee Corporation,

Defendant.

Case No. 2:10-cv-12371-AC-LJM
HONORABLE AVERN COHN
Magistrate Laurie J. Michelson

JURY TRIAL REQUESTED

FINAL JUDGMENT AS TO PATENT INFRINGEMENT CLAIMS

I.

Pursuant to Fed. R. Civ. P. 54(b) and for the reasons stated in the Joint Motion for Entry of Final Judgment Pursuant to Rule 54(b), the Court expressly determines that this judgment is a final judgment as to some but not all of the claims. There is no just reason for delay in entering final judgment. The case is certified for immediate appeal.

II.

A.

Pursuant to the Order Granting Plaintiff's Motion for Summary Judgment of Non-Infringement (Dkt. # 97) and the underlying Order on Claim Construction (Dkt#58), it is ORDERED and ADJUDGED that:

1. The accused IPT devices do not infringe any claims of U.S. Patent No. 6,656,424.

2. The accused IPT devices do not infringe any claims of U.S. Patent No. 6,911,177.

3. These findings of non-infringement are entered as a final judgment.

B.

This final judgment will permit Lumalier to immediately appeal the non-infringement decision, claim construction, and all other underlying opinions and orders relating thereto.

It is further ORDERED and ADJUDGED that the remaining unadjudicated claims maintained by IPT, which are based in Michigan tort law, are STAYED pending appeal of the patent infringement judgments noted above.

SO ORDERED.

Dated: 10/11/2013

Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE